

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JASEN LYNN DUSHANE,

Plaintiff,

v.

NEVADA DEPARTMENT OF  
CORRECTIONS et al.,

Defendants.

Case No. 3:15-cv-00498-MMD-WGC

ORDER

**I. DISCUSSION**

Plaintiff, a *pro se* prisoner, previously filed an application to proceed *in forma pauperis* and a first amended complaint pursuant to 42 U.S.C. § 1983. (Dkt. no. 1, 5.) Plaintiff now files a notice for voluntary dismissal. (Dkt. no. 6.) Pursuant to Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court acknowledges Plaintiff’s notice for voluntary dismissal and dismisses the action without prejudice.

**II. CONCLUSION**

For the foregoing reasons, it is ordered that this action is dismissed in its entirety, without prejudice, in light of the notice of voluntary dismissal (dkt. no. 6).

It is further ordered that the application to proceed *in forma pauperis* (dkt. no. 1) is denied as moot.

1 It is further ordered that the Clerk of the Court shall enter judgment accordingly.

2 DATED THIS 23<sup>rd</sup> day of March 2016.

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4 MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE